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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/858,070	05/16/2001	William Hughes	HGS	1965
7590	11/18/2004		EXAMINER	
Thomas L. Adams 120 Eagle Rock Avenue P.O. Box 340 East Hanover, NJ 07936			LUU, SY D	
			ART UNIT	PAPER NUMBER
			2174	

DATE MAILED: 11/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/858,070

Applicant(s)

HUGHES ET AL.

Examiner

Sy D Luu

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-76 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-24, 28-48, 50-63 and 67-76 is/are rejected.
- 7) ☒ Claim(s) 10, 25-27, 49 and 64-66 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 3 and 35 are objected to because of the following informalities:
  - (a) in claim 3, the phrase "said object is a operable by the user" is grammatically incorrect; and
  - (b) claim 35 cannot be a dependent of itself.Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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4. Claims 1-9, 11-24, 28-34, 36, 41-48, 50-63, 67-74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ainsbury et al. ("Ainsbury", US 6,078,924) in view of Hakim (US 6,760,748 B1).

Ainsbury teaches an application permitting a user to enter or retrieve at least one ordinary expression for processing and display, the application being capable of accessing a data source and comprising:

a query generator for (a) reading the ordinary expression, and (b) requesting information from the data source based on the ordinary expression (col. 4, line 63-col. 5, line 20; col. 8, lines 56-60; col. 13, lines 50-52; *criteria*); and

a composer for receiving requested information from the data source in response to said query generator and transferring the requested information to the application for processing and display (col. 14, lines 24-41; col. 15, lines 4-10).

Ainsbury does not teach an object for enhancing an application. However, the use of plug-ins is well known in the art. For instance, Hakim teaches a method of providing information, wherein plug-ins are used to enhance the application's functionalities in filtering the received content for report generation (col. 29, lines 40-43). It would have been obvious to an artisan at the time of the invention to combine Hakim's teaching with Ainsbury's application in order to extend the application's functionalities.

While Ainsbury teaches the steps of receiving and displaying requested information, Ainsbury does not explicitly disclose an interface for allowing the user to adjust where the application will display the requested information, and the step of displaying the requested information alongside the ordinary expression. However, both of these limitations are

notoriously well known in the art. It would have been obvious to an artisan at the time of the invention to include these features in order to help users know what each piece of requested information is, and to provide a means for the user to customize where each piece of desired information will be displayed.

As per claim 2, Ainsbury teaches said interface is a graphical user interface (col. 14, lines 30-32).

As per claims 3-4, Ainsbury teaches said object is operable by the user without using programming code extraneous to normal use of the application, and operable after entry of the ordinary expression into the application without any further prerequisite (*inherent to plug-ins in order to further enhance the application*).

As per claims 5-7, Ainsbury teaches said interface to be operable to select the ordinary expression from among other features displayed by said application and identify the ordinary feature to the query generator, or to select and identify the ordinary expression by permitting the user to enter identifying information, or to select and identify the ordinary expression by permitting the user to point to the ordinary expression (col. 13, lines 49-50; *users to identify criteria selections*).

As per claims 8-9, Ainsbury teaches said application is a spreadsheet program, said interface being operable to select and identify a spreadsheet cell containing the ordinary expression, or said application is a word processing program, said interface being operable to select and identify a location corresponding to the ordinary expression (col. 14, lines 30-47).

As per claims 11, Ainsbury teaches said interface is operable to identify a table cell containing the ordinary expression (col. 44, lines 54-57; col. 45, lines 1-2; col. 51, lines 6-7).

As per claims 12-14 and 17, Ainsbury teaches said query generator is operable to fetch data over a global Internet communications network (col. 7, lines 9-16), as well as from a database that is distinct from said application (col. 4, line 65-col. 5, line 2; *external sources*).

As per claims 15-16 and 18, Ainsbury teaches said composer to be operable to parse data obtained from said data source by said query generator, to extract the requested information and discard unrequested information (col. 14, lines 55-57; col. 12, lines 36-42), and said composer to be preprogrammed with information about the expected layout of a web page in order to find and extract the requested information (col. 8, lines 56-60; col. 9, lines 50-67).

As per claim 19, Ainsbury teaches said interface is operable by the user to select a plurality of data types to be fetched by said query generator (col. 9, lines 62-67).

As per claims 20-24, 29-34 and 36, all claim features regarding the displaying of the plurality of data types according to user's specifying a spatial orientation or updating mode are well known in the art. It would have been obvious to an artisan at the time of the invention to combine these features with the method of Ainsbury-Hakim in order to provide users with display customization and updating of requested information.

As per claim 28, Ainsbury teaches said requested information to be securities information, said data source being a global communications network (col. 16, lines 44-48; *financial data*).

Claims 41-48, 50-63, 67-74 are similar in scope to claims 1, 3-9, 11-24, 28-34, 36, and are therefore rejected under similar rationale.

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5. Claims 35, 37-40, are rejected under 35 U.S.C. 103(a) as being unpatentable over Ainsbury et al. ("Ainsbury", US 6,078,924) and Hakim (US 6,760,748 B1) in view of Shafron (US 2004/0165007 A1).

6. As per claims 35, and 37-40, while Ainsbury teaches said application having a menu supporting information browsing and retrieval (col. 14, lines 61-62), Ainsbury does not specifically disclose the menu to be in the form of a toolbar, and the object to place an item in the toolbar/menu to perform various functions as required. Shafron teaches a method of dynamically controlling and displaying a toolbar menu in a graphical user interface (figs 3-4; paragraph 43). It would have been obvious to an artisan at the time of the invention to combine Yahoo's teaching with the method of Ainsbury-Hakim in order to provide convenient access to useful and expected functionalities to users.

Claims 75-76 are similar in scope to claims 39-40, and are therefore rejected under similar rationale.

***Allowable Subject Matter***

7. Claims 10, 25-27, 49, and 64-66 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance:

The prior art made of record fails to anticipate or make obvious the claimed invention. Specifically, the prior art fails to teach, in combination with the remaining elements, the recited limitations.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

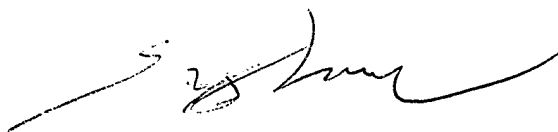
***Inquires***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sy Luu whose telephone number is **(571) 272-4064**. The examiner can normally be reached on Monday - Thursday from 7:00 am to 4:30 pm (EST). The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (571) 272-4063.

The fax number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

A handwritten signature in black ink, appearing to read 'Sy D. Luu', with a long horizontal flourish extending to the right.

**SY D. LUU  
PRIMARY EXAMINER**